



## Notice of Service of Process

AST / ALL  
Transmittal Number: 24887839  
Date Processed: 05/09/2022

**Primary Contact:** Andrew Akey  
Menard, Inc.  
5101 Menard Dr  
Eau Claire, WI 54703-9604

**Electronic copy provided to:** Emily Hawke-James  
Jim McMenomy  
Meghan Olson  
Todd Lemanski  
Brianna Varanko

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**Entity:** Menard, Inc.  
Entity ID Number 0033810

**Entity Served:** Medard, Inc.

**Title of Action:** Nancy Delaney vs. Menard, Inc.

**Document(s) Type:** Summons/Complaint

**Nature of Action:** Personal Injury

**Court/Agency:** McHenry County Circuit Court, IL

**Case/Reference No:** 22LA000116

**Jurisdiction Served:** Illinois

**Date Served on CSC:** 05/05/2022

**Answer or Appearance Due:** 30 Days

**Originally Served On:** CSC

**How Served:** Personal Service

**Sender Information:** Law Office Of Daniel L. Goodman, Lt,C  
847-292-6000

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Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

**To avoid potential delay, please do not send your response to CSC**

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | [sop@cscglobal.com](mailto:sop@cscglobal.com)

EXHIBIT A

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

<b>STATE OF ILLINOIS, CIRCUIT COURT</b>  McHenry COUNTY		<b>SUMMONS</b>	For Court Use Only
<b>Instructions ▼</b> Enter above the county name where the case was filed.	NANCY DELANEY <b>Plaintiff / Petitioner</b> (First, middle, last name)		22LA000116 <b>Case Number</b>
Enter your name as Plaintiff/Petitioner.	v.		
Enter the names of all people you are suing as Defendants/ Respondents.	MENARD, INC. <b>Defendant / Respondent</b> (First, middle, last name)		
Enter the Case Number given by the Circuit Clerk.	<input type="checkbox"/> <b>Alias Summons</b> (Check this box if this is not the 1 <sup>st</sup> Summons issued for this Defendant.)		

### IMPORTANT INFORMATION:

There may be court fees to start or respond to a case. If you are unable to pay your court fees, you can apply for a fee waiver. You can find the fee waiver application at: [illinoiscourts.gov/documents-and-forms/approved-forms/](http://illinoiscourts.gov/documents-and-forms/approved-forms/).

E-filing is now mandatory with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit [efile.illinoiscourts.gov/service-providers.htm](http://efile.illinoiscourts.gov/service-providers.htm) to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit [illinoiscourts.gov/faq/gethelp.asp](http://illinoiscourts.gov/faq/gethelp.asp) or talk with your local circuit clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file in-person or by mail. Ask your circuit clerk for more information or visit [illinoislegalaid.org](http://illinoislegalaid.org).

Call or text Illinois Court Help at 833-411-1121 for information about how to go to court including how to fill out and file forms. You can also get free legal information and legal referrals at [illinoislegalaid.org](http://illinoislegalaid.org).

### Plaintiff/Petitioner:

Do not use this form in an eviction, small claims, detinue, divorce, or replevin case. Use the *Eviction Summons*, *Small Claims Summons*, or *Summons Petition for Dissolution of Marriage / Civil Union* available at [illinoiscourts.gov/documents-and-forms/approved-forms](http://illinoiscourts.gov/documents-and-forms/approved-forms). If your case is a detinue or replevin, visit [illinoislegalaid.org](http://illinoislegalaid.org) for help.

If you are suing more than 1 Defendant/Respondent, fill out a *Summons* form for each Defendant/Respondent.

In 1a, enter the name and address of a Defendant/ Respondent. If you are serving a Registered Agent, include the Registered Agent's name and address here.

In 1b, enter a second address for Defendant/ Respondent, if you have one.

In 1c, check how you are sending your documents to Defendant/ Respondent.

### 1. Defendant/Respondent's address and service information:

#### a. Defendant/Respondent's primary address/information for service:

Name (First, Middle, Last): MEDARD, INC.

Registered Agent's name, if any: PRENTICE HALL CORP.

Street Address, Unit #: 801 ADLAI STEVENSON DRIVE

City, State, ZIP: SPRINGFIELD, IL 62703

Telephone: Email:

#### b. If you have more than one address where Defendant/Respondent might be found, list that here:

Name (First, Middle, Last):

Street Address, Unit #:

City, State, ZIP:

Telephone: Email:

#### c. Method of service on Defendant/Respondent:

☒ Sheriff

☐ Sheriff outside Illinois:

County & State

☐ Special process server

☐ Licensed private detective

Enter the Case Number given by the Circuit Clerk: \_\_\_\_\_

In 2, enter the amount of money owed to you.

In 3, enter your complete address, telephone number, and email address, if you have one.

**2. Information about the lawsuit:**Amount claimed: \$ 50,001.00**3. Contact information for the Plaintiff/Petitioner:**Name (First, Middle, Last): NANCY DELANEYStreet Address, Unit #: 10400 W. HIGGINS RD., STE. 500City, State, ZIP: ROSEMONT, IL 60010

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**GETTING COURT DOCUMENTS BY EMAIL:** You should use an email account that you do not share with anyone else and that you check every day. If you do not check your email every day, you may miss important information, notice of court dates, or documents from other parties.**Important information for the person getting this form**You have been sued. Read all of the documents attached to this *Summons*.To participate in the case, you must follow the instructions listed below. If you do not, the court may decide the case without hearing from you and you could lose the case. *Appearance* and *Answer/Response* forms can be found at: [illinoiscourts.gov/documents-and-forms/approved-forms/](http://illinoiscourts.gov/documents-and-forms/approved-forms/).Check 4a or 4b. If Defendant/Respondent only needs to file an *Appearance* and *Answer/Response* within 30 days, check box 4a. Otherwise, if the clerk gives you a court date, check box 4b.In 4a, fill out the address of the court building where the Defendant may file or e-file their *Appearance* and *Answer/Response*.In 4b, fill out:  
• The court date and time the clerk gave you.  
• The courtroom and address of the court building.  
• The call-in or video information for remote appearances (if applicable).  
• The clerk's phone number and website. All of this information is available from the Circuit Clerk.**4. Instructions for person receiving this *Summons* (Defendant):**

- ☒
- a. To respond to this
- Summons*
- , you must file
- Appearance*
- and
- Answer/Response*
- forms with the court within 30 days after you have been served (not counting the day of service) by e-filing or at:

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

- ☐
- b. Attend court:

On: \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m. in \_\_\_\_\_  
Date Time Courtroom**In-person at:**\_\_\_\_\_  
Courthouse Address City State ZIP

OR

**Remotely** (You may be able to attend this court date by phone or video conference. This is called a "Remote Appearance"):

By telephone: \_\_\_\_\_

Call-in number for telephone remote appearance

By video conference: \_\_\_\_\_

Video conference website

\_\_\_\_\_  
Video conference log-in information (meeting ID, password, etc.)

Call the Circuit Clerk at: \_\_\_\_\_ or visit their website

Circuit Clerk's phone number

at: \_\_\_\_\_ to find out more about how to do this.

Website

**STOP!**

The Circuit Clerk will fill in this section.

**STOP!**

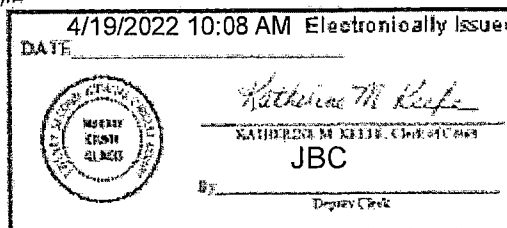
The officer or process server will fill in the Date of Service.

Witness this Date:

Clerk of the Court:

**This *Summons* must be served within 30 days of the witness date.**

Date of Service: \_\_\_\_\_

(Date to be entered by an officer or process server on the copy of this *Summons* left with the Defendant or other person.)

Seal of Court

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

<b>STATE OF ILLINOIS, CIRCUIT COURT</b>  McHenry COUNTY		<b>PROOF OF SERVICE OF SUMMONS AND COMPLAINT/PETITION</b>	<i>For Court Use Only</i>
<b>Instructions</b> Enter above the county name where the case was filed. Enter your name as Plaintiff/Petitioner. Enter the names of all people you are suing as Defendants/Respondents. Enter the Case Number given by the Circuit Clerk.	NANCY DELANEY Plaintiff / Petitioner (First, middle, last name)  v.  MENARD, INC. Defendant / Respondent (First, middle, last name)  <input type="checkbox"/> <b>Alias Summons</b> (Check this box if this is not the 1 <sup>st</sup> Summons issued for this Defendant.)		Case Number

**\*\*Stop. Do not complete the form. The sheriff or special process server will fill in the form.\*\***My name is \_\_\_\_\_ and I state  
First, Middle, Last☐ I served the **Summons** and Complaint/Petition on the Defendant/Respondent

as follows:

First, Middle, Last

☐ Personally on the Defendant/Respondent:Male ☐ Female ☐ Non-Binary ☐ Approx. Age: \_\_\_\_\_ Race: \_\_\_\_\_On this date: \_\_\_\_\_ at this time: \_\_\_\_\_ ☐ a.m. ☐ p.m.

Address, Unit#: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

☐ On someone else at the Defendant/Respondent's home who is at least 13 years old and is a family member or lives there:On this date: \_\_\_\_\_ at this time: \_\_\_\_\_ ☐ a.m. ☐ p.m.

Address, Unit#: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

And left it with: \_\_\_\_\_

First, Middle, Last

Male ☐ Female ☐ Non-Binary ☐ Approx. Age: \_\_\_\_\_ Race: \_\_\_\_\_

and by sending a copy to this defendant in a postage-paid, sealed envelope to the above address on \_\_\_\_\_, 20 \_\_\_\_\_.

☐ On the Corporation's agent, \_\_\_\_\_

First, Middle, Last

Male ☐ Female ☐ Non-Binary ☐ Approx. Age: \_\_\_\_\_ Race: \_\_\_\_\_On this date: \_\_\_\_\_ at this time: \_\_\_\_\_ ☐ a.m. ☐ p.m.

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Enter the Case Number given by the Circuit Clerk: \_\_\_\_\_

☐ I was not able to serve the *Summons* and Complaint/Petition on Defendant/Respondent:\_\_\_\_\_  
*First, Middle, Last*I made the following attempts to serve the *Summons* and Complaint/Petition on the Defendant/Respondent:1. On this date: \_\_\_\_\_ at this time: \_\_\_\_\_ ☐ a.m. ☐ p.m.

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Other information about service attempt: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_2. On this date: \_\_\_\_\_ at this time: \_\_\_\_\_ ☐ a.m. ☐ p.m.

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Other information about service attempt: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_3. On this date: \_\_\_\_\_ at this time: \_\_\_\_\_ ☐ a.m. ☐ p.m.

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Other information about service attempt: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DO NOT** complete this section. The sheriff or private process server will complete it.

If you are a special process server, sheriff outside Illinois, or licensed private detective, your signature certifies that everything on the *Proof of Service of Summons* is true and correct to the best of your knowledge. You understand that making a false statement on this form could be perjury.

By: \_\_\_\_\_

Signature by: \_\_\_\_\_

☐ Sheriff☐ Sheriff outside Illinois: \_\_\_\_\_\_\_\_\_\_  
*County and State*☐ Special process server☐ Licensed private  
detective**FEES**

Service and Return: \$ \_\_\_\_\_

Miles \_\_\_\_\_ \$ \_\_\_\_\_

Total \$0.00

Under the Code of Civil Procedure, 735 ILCS 5/1-109, making a statement on this form that you know to be false is perjury, a Class 3 Felony.

\_\_\_\_\_  
*Print Name*If *Summons* is served by licensed private detective or private detective agency:

License Number: \_\_\_\_\_

RDA/mcl 4.12.22  
STATE OF ILLINOIS     )  
                                      ) SS  
COUNTY OF McHenry    )

NOTICE
THIS CASE IS HEREBY SET FOR A SCHEDULING CONFERENCE IN COURTROOM TBD ON 07-19-2022, AT TBD. FAILURE TO APPEAR MAY RESULT IN THE CASE BEING DISMISSED OR AN ORDER OF DEFAULT BEING ENTERED.

\*\* FILED \*\* Env: 17546175  
McHenry County, Illinois  
22LA000116  
Date: 4/19/2022 10:08 AM  
Katherine M. Keefe  
Clerk of the Circuit Court

IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT  
MCHENRY COUNTY, ILLINOIS

NANCY DELANEY,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No.: 22LA000116
	)	
MENARD, INC.	)	
	)	
Defendant.	)	

**COMPLAINT AT LAW**

NOW COMES the Plaintiff, NANCY DELANEY, by and through her attorneys, LAW  
OFFICE OF DANIEL E GOODMAN, LLC, who complain of the Defendant, MENARD INC., as  
follows:

1. On or about May 23, 2020, and at all times relevant, the Defendant, MENARD, INC., operated, managed, controlled and/or possessed a building and surrounding land located at 4850 U.S. Route 14 (commonly known as "Northwest Highway"), in the City of Crystal Lake, County of McHenry, and State of Illinois.
2. At the time and place aforesaid the Plaintiff, NANCY DELANEY, was lawfully upon the premises located at 4850 U.S. Route 14, in the City of Crystal Lake, County of McHenry, and State of Illinois as a patron and was using the women's restroom.
3. At the time and place aforesaid, the Plaintiff, NANCY DELANEY, slipped and fell due to the floor being wet, which resulted in Plaintiff, NANCY DELANEY, falling to the ground.
4. At the time and place aforesaid, the Defendant, MENARD, INC., by and through its employees and agents, had a duty to exercise ordinary care in the ownership, control and maintenance

of the aforesaid premises so that patrons, including the Plaintiff, NANCY DELANEY, were not injured.

5. That at the time and place aforesaid, the Defendant, MENARD, INC., by and through its employees and agents breached the aforesaid duty when the Defendant, MENARD, INC., carelessly and negligently did the following acts and/or omissions:

- a. Carelessly and negligently maintained, possessed, operated, managed, and/or controlled said premises so that as a direct and proximate result thereof, Plaintiff, NANCY DELANEY, was injured;
- b. Carelessly and negligently failed to make adequate and proper inspection of said premises to determine the dangerous condition thereof;
- c. Carelessly and negligently failed to warn persons walking upon said premises, including the Plaintiff, NANCY DELANEY, of the hazardous and dangerous condition of the bathroom floor although Defendant, MENARD, INC., knew or should have known that said failure was likely to result in injury to persons walking upon said bathroom floor, including Plaintiff, NANCY DELANEY;
- d. Carelessly and negligently allowed an accumulation of liquid to exist on the handicap bathroom floor, presenting a hazardous condition where individuals, including Plaintiff, NANCY DELANEY were likely to walk;
- e. Carelessly and negligently failed to clean the aforementioned premises;
- f. Carelessly and negligently failed to maintain the aforementioned premises; and
- g. Otherwise carelessly and negligently maintained, possessed, managed, operated and/or controlled said premises.

6. That as a direct and proximate result of one or more of the aforesaid wrongful acts or omissions of the Defendant, MENARD, INC., the Plaintiff, NANCY DELANEY, was severely and permanently injured both internally and externally, and suffered a severe shock to her nervous system, and bruises, contusions, and lacerations to her body, and became and was sick and disabled, and suffered, and will in the future suffer, great pains, discomfort and physical impairment, all of which injuries are permanent; and she has lost and will in the future lose other great gains which she otherwise would have made and acquired; and she has been kept and will be kept from attending to his ordinary affairs and duties, and has become liable for large sums of money for medical and hospital

care and attention.

WHEREFORE the Plaintiff, NANCY DELANEY, prays judgment against the Defendant, MENARD, INC., in a sum greater than Fifty Thousand Dollars (\$50,000.00), as will fairly and adequately compensate her for her injuries and damages together with her costs in bringing this suit.

Respectfully Submitted,



One of the Attorneys for the Plaintiff,  
NANCY DELANEY.

Robert D. Ayres  
Attorney for the Plaintiff  
Law Office of Daniel E Goodman, L.L.C  
10400 W. Higgins Road, Suite 500  
Rosemont, IL 60018  
ARDC: 6191940  
(847) 292-6000  
[robert@danielgoodmanlaw.com](mailto:robert@danielgoodmanlaw.com)



\*\* FILED \*\* Env: 17546175  
McHenry County, Illinois  
22LA000116  
Date: 4/19/2022 10:08 AM  
Katherine M. Keefe  
Clerk of the Circuit Court

RDA/mcl 4.19.22  
STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF McHenry    )


**IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT  
MCHENRY COUNTY, ILLINOIS**

NANCY DELANEY,                     )  
                                      )  
                  Plaintiff,         )  
                                      )  
vs.                                     )  
                                      )  
MENARD, INC.                        )  
                                      )  
                  Defendant.        )

Case No.: 22LA000116

**AFFIDAVIT PURSUANT TO SUPREME COURT RULE 222 (B)**

Pursuant to Supreme Court Rule 222(B), Counsel for the above-named plaintiff certifies that plaintiff seeks money damages in excess of Fifty Thousand and 00/100ths Dollars (\$50,000.00).

By:   
Robert D. Ayres  
One of Attorneys for Plaintiff

ATTORNEY NO. 6191940  
ROBERT D. AYERS  
LAW OFFICE OF DANIEL E GOODMAN, LLC  
10400 WEST HIGGINS ROAD, SUITE 500  
ROSEMONT, IL 60018  
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